

IN THE UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF PUERTO RICO

IN RE:

CASE NO 09-04451 ESL

FRANCISCO MERCADO CALDERO
MARIANA MORALES ORTIZ

CHAPTER 13

DEBTOR

MOTION AND NOTICE OF FILING OF POST-CONFIRMATION
MODIFICATION OF CHAPTER 13 PLAN

TO THE HONORABLE COURT:

COME NOW, FRANCISCO MERCADO CALDERO and MARIANA MORALES ORTIZ debtors in the above captioned case through the undersigned attorney, and very respectfully state and pray as follows:

1. The debtors are hereby submitting a Post-confirmation Modification of Chapter 13 Plan, dated December 4, 2013, herewith and attached to this motion.
2. This Post-confirmation Modification of Chapter 13 Plan is filed to correct the payment plan schedule.

WHEREFORE debtor respectfully requests the allowance of the requested modification of Plan dated December 4, 2013.

NOTICE

Within twenty one (21) days after service as evidenced by the certification, and an additional three (3) days pursuant to Fed. R. Bank. P. 9006(f) if you were served by mail, any party against whom this paper has been served, or any other party to the action who objects to the relief sought herein, shall serve and file an objection or other appropriate response to this paper with the Clerk's office of the U.S. Bankruptcy Court for the District of Puerto Rico. If no objection or other response is filed within the time allowed herein, the paper will be deemed unopposed and may be granted unless: (i) the requested relief is forbidden by law; (ii) the requested relief is against public policy; or (iii) in the opinion of the Court, the interest of justice requires otherwise.

Francisco Mercado Caldero
Mariana Morales Ortiz
Case No. 09-04451 ESL
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I CERTIFY that on this same date a copy of this notice was sent by the Clerk of the Court using CM/ECF systems which will send notifications of such to the Chapter 13 Trustee; and also certify that I have mailed by United States Postal Service copy of this motion to the following non CM/ECF participants: debtors, Francisco Mercado Caldero and Mariana Morales Ortiz; and to all creditors and parties in interest in the present case.

RESPECTFULLY SUBMITTED.

In Cayey, Puerto Rico this 4th day of December, 2013.

/s/Miriam A. Murphy-Lightbourn
MIRIAM A. MURPHY LIGHTBOURN
PO BOX 372519
CAYEY, PR 00737
TEL.: 787-263-2377; (787)738-0404
FAX: 787-738-4667
EMAIL: mamurphyli82@gmail.com

United States Bankruptcy Court
District of Puerto Rico

IN RE:

Case No. 09-04451-13MERCADO CALDERO, FRANCISCO & MORALES ORTIZ, MARIANAChapter 13

Debtor(s)

AMENDED CHAPTER 13 PAYMENT PLAN

1. The future earnings of the Debtor(s) are submitted to the supervision and control of the Trustee and the Debtor(s) shall make payments to the Trustee ☒ directly ☐ by payroll deductions as hereinafter provided in the PAYMENT PLAN SCHEDULE.
2. The Trustee shall distribute the funds so received as hereinafter provided in the DISBURSEMENT SCHEDULE.

PLAN DATED: 12/04/2013☐ AMENDED PLAN DATED: _____☐ PRE ☒ POST-CONFIRMATIONFiled by: ☐ Debtor ☐ Trustee ☐ Other**I. PAYMENT PLAN SCHEDULE**

\$ 150.49 x 2 = \$ 300.98
 \$ 159.00 x 3 = \$ 477.00
 \$ 175.00 x 48 = \$ 8,400.00
 \$ 72.00 x 1 = \$ 72.00
 \$ 400.00 x 6 = \$ 2,400.00

TOTAL: \$ 11,649.98

Additional Payments:

\$ _____ to be paid as a LUMP SUM
 within _____ with proceeds to come from:

☐ Sale of Property identified as follows:☐ Other:

Periodic Payments to be made other than, and in
 addition to the above:

\$ _____ x _____ = \$ _____

PROPOSED BASE: \$ 11,649.98**III. ATTORNEY'S FEES**
(Treated as § 507 Priorities)

Outstanding balance as per Rule 2016(b) Fee
 Disclosure Statement: \$ 2,674.00

Signed: /s/ FRANCISCO MERCADO CALDERO
 Debtor

/s/ MARIANA MORALES ORTIZ
 Joint Debtor

II. DISBURSEMENT SCHEDULE

A. ADEQUATE PROTECTION PAYMENTS OR \$ _____

B. SECURED CLAIMS:

☐ Debtor represents no secured claims.☒ Creditors having secured claims will retain their liens and shall be paid as follows:1. ☒ Trustee pays secured ARREARS:

Cr. DORAL BANK Cr. _____ Cr. _____
 # 0070035177 Claim 4-1 # _____ # _____
 \$ 779.53 \$ _____ \$ _____

2. ☐ Trustee pays IN FULL Secured Claims:

Cr. _____ Cr. _____ Cr. _____
 # _____ # _____ # _____
 \$ _____ \$ _____ \$ _____

3. ☐ Trustee pays VALUE OF COLLATERAL:

Cr. _____ Cr. _____ Cr. _____
 # _____ # _____ # _____
 \$ _____ \$ _____ \$ _____

4. ☐ Debtor SURRENDERS COLLATERAL to Lien Holder:5. ☐ Other:6. ☒ Debtor otherwise maintains regular payments directly to:CITIFINANCIAL DORAL BANKC. PRIORITIES: The Trustee shall pay priorities in accordance with the law.
11 U.S.C. § 507 and § 1322(a)(2)D. UNSECURED CLAIMS: Plan ☐ Classifies ☒ Does not Classify Claims.1. (a) Class A: ☐ Co-debtor Claims / ☐ Other: _____☐ Paid 100% / ☐ Other: _____

Cr. _____ Cr. _____ Cr. _____
 # _____ # _____ # _____
 \$ _____ \$ _____ \$ _____

2. Unsecured Claims otherwise receive PRO-RATA disbursements.

OTHER PROVISIONS: (Executory contracts; payment of interest to unsecureds, etc.)
PV \$6,798.

MERCADO CALDERO, FRANCISCO
URB JARDINES DE CAYEY II
CALLE VIOLETA D-30
CAYEY, PR 00736

FIRST REVENUE ASSURANCE
DEPT 13526
P O BOX 1259
OAKS, PA 19456

MORALES ORTIZ, MARIANA
URB JARDINES DE CAYEY II
CALLE VIOLETA D-30
CAYEY, PR 00736

HOME DEPOT CREDIT SERVICES
P O BOX 689100
DES MOINES, IA 50368-9100

Miriam A. Murphy
Murphy Law Office
P O Box 372519
Cayey, PR 00737-2519

JC PENNEY
GE MONEY BANK
P O BOX 103104
ROSWELL, GA 30076

ADVANCE AUTO PARTS
P O BOX 731
MAHWAH, NJ 07430

PRT
P O BOX 71535
SAN JUAN, PR 00936

AEE
P O BOX 363508
SAN JUAN, PR 00936

SAMS- GE MONEY BANK
ATTN BANKRUPTCY DEPT
P O BOX 103104
ROSWELL, GA 30076

AT&T
DEPT 13526
P O BOX 1259
OAKS, PA 19456

SEARS
P O BOX 6283
SIOUX FALLS, SD 57117-6283

CITIFINANCIAL
P O BOX 71328
SAN JUAN, PR 00936

WALMART- GE MONEY BANK
ATTN BANKRUPTCY DEPT
P O BOX 103104
ROSWELL, GA 30076

COOP JESUS OBRERO
OFICINA CENTRAL
HC 01 BOX 29030 PMB 159
CAGUAS, PR 00725

DORAL BANK
P O BOX 70308
SAN JUAN, PR 00936

FIA CARD SERVICES
P O BOX 15026
WILMINGTON, DE 19850-5026